

Application No.: 10/606,376

Docket No.: JCLA11125-R

**REMARKS****Present Status of the Application****BEST AVAILABLE COPY**

The Office Action rejected claims all pending claims 13-16. In particular, the Office Action rejected claims 13, 15 under 35 U.S.C. 102(b) as being anticipated by Park (US 6,050,704). The Office Action rejected claim 16 under 35 U.S.C. 102(b) as being anticipated Amano (JP 04033202A). The Office Action rejected claim 14 under 35 U.S.C. 103(a) as being unpatentable over Park in view of Amano.

Applicants have amended claims 13 and 16 to overcome the rejection. After entry of the foregoing amendments, claims 13-16 remain pending in the present application, and reconsideration of those claims is respectfully requested.

**Discussion of Office Action Rejections**

*Applicants respectfully traverse the 102(b) rejection of claims 13, 15 because Park (US 6,050,704) does not teach every element recited in these claims.*

In order to properly anticipate Applicants' claimed invention under 35 U.S.C 102, each and every element of claim in issue must be found, "either expressly or inherently described, in a single prior art reference". "The identical invention must be shown in as complete details as is contained in the .... claim. Richardson v. Suzuki Motor Co., 868 F. 2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)." See M.P.E.P. 2131, 8<sup>th</sup> ed., 2001.

The present invention is related a back light module as claim 13 recites:

Claim 13. A back light module, comprising:

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a frame having a middle region;  
at least two U-shaped lamp tubes disposed inside the frame, wherein *the two adjacent U-shaped lamp tubes are respectively positioned at two sides of the frame and each of the U-shaped lamp tubes does not cross the middle region of the frame*, and the corners of the two U-shaped lamp tubes are aligned and adjacent; and  
a diffusion plate positioned inside the frame above said lamp tubes.

Park fails to disclose, teach or suggest the feature of that two adjacent U-shaped lamp tubes are respectively positioned at two sides of the frame and each of the U-shaped lamp tubes does not cross the middle region of the frame. In Park's reference, as shown in Fig. 3, the two U shaped lamp tubes 31a, 31b disposed inside the frame 34, 33 extend from one side of the frame to other side, and thus the two U shaped lamp tubes 31a, 31b disposed inside the frame 34, 33 cross the middle region of the frame. However, in claim 13, each of the U-shaped lamp tubes *does not cross the middle region of the frame*. Because each of the U-shaped lamp tubes does not cross the middle region of the frame, the U-shaped lamp tubes have a smaller length, and thus the U-shaped lamp tubes are not liable to break or crack. Therefore, Park does not teach every element recited in claim 13.

For at least the foregoing reasons, Applicant respectfully submits that independent claim 13 patently defines over the prior art reference, and should be allowed. For at least the same reasons, dependent claim 15 patently defines over the prior art as well.

*Applicants also respectfully traverse the 102(b) rejection of claim 16 because Amano (JP 04033202A) does not teach every element recited in the claim.*

The present invention is related a back light module as claim 16 recites:

Claim 16. A back light module, comprising:

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a frame having a middle region;  
at least two U-shaped lamp tubes disposed inside the frame, wherein *the two U-shaped lamp tubes are respectively positioned at two sides of the frame and each of the U-shaped lamp tubes does not cross the middle region of the frame*, and *electrodes of the two U-shaped lamp tubes are at the middle region of the frame* and face the bottom section of the frame underneath the lamp tubes; and  
a diffusion plate positioned inside the frame above said lamp tubes.

Amano also fails to disclose, teach or suggest that the feature of the two adjacent U-shaped lamp tubes are respectively positioned at two sides of the frame and each of the U-shaped lamp tubes does not cross the middle region of the frame, and electrodes of the two U-shaped lamp tubes are at the middle region of the frame. In Amano's reference, the U-shaped lamps 6a, 6b, as shown in Fig. 2, arranged in the frame 1 extend from one side of the frame 1 to other side, and thus the two U shaped lamp tubes 3a, 3b disposed inside the frame 1 cross the middle region of the frame 1. In addition, the electrodes 8a, 8b are at the two sides of the frame 1 but not disposed at the middle region of the frame 1. However, in claim 16, each of the U-shaped lamp tubes *does not cross the middle region of the frame, and the electrodes of the U-shaped lamp tubes are at the middle region of the frame*. Because each of the U-shaped lamp tubes does not cross the middle region of the frame, the U-shaped lamp tubes have a smaller length, and thus the U-shaped lamp tubes are not liable to break or crack. Therefore, Amano does not teach every element recited in claim 16. Hence, Applicant respectfully submits that independent claim 16 patently defines over the prior art reference, and should be allowed.

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*Applicants respectfully traverse the rejection of claim 14 under 103(a) as being unpatentable over Park in view of Amano because a prima facie case of obviousness has not been established by the Office Action.*

To establish a prima facie case of obviousness under 35 U.S.C. 103(a), each of three requirements must be met. First, the reference or references, taken alone or combined, must teach or suggest each and every element in the claims. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Moreover, each of the three requirements must "be found in the prior art, and not be based on applicant's disclosure." See M.P.E.P. 2143, 8<sup>th</sup> ed., February 2003.

Applicants submit that, as disclosed above, Park fails to teach or suggest each and every element of claim 13 from which claim 14 depends. Amano cannot cure the deficiencies of Park. Therefore, independent claim 13 is patentable over Park and Amano. For at the least the same reasons, its dependent claim 14 is also be patentable as a matter of law.

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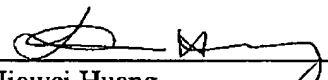
**CONCLUSION**

For at least the foregoing reasons, it is believed that the pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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